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5.00.00 GENERALLY

The provisions of Article 5 apply to accessory uses, accessory structures, and temporary uses. Home occupations are considered accessory uses to residential development. Standards for home occupations are set forth in Section 5.01.00. Standards pertaining to accessory structures and fences are set forth in Section 5.02.00. Standards for temporary structures and uses are set forth in Section 5.03.00. Standards for signs, which may be either accessory structures, or the principal use on a parcel, are provided in Section 5.04.00. Standards for wireless communication facilities, which may be located on a lot or parcel with a principal use, or which may be the principal use, are provided in Section 5.05.00.

5.01.00 HOME OCCUPATIONS

5.01.01 Generally

In all residential districts, customary home occupations are permitted; however, the following requirements shall apply in addition to all other applicable requirements for the residential district in which such uses are located:

- A. Home occupation shall be limited in such a way as to not generate excess traffic at its location, and shall not have in excess of, in the aggregate, ten (10) clients or customers at its location in any twenty-four (24) hour period.
- B. The total floor space devoted to the home occupation shall not exceed twenty-five (25) percent of the heated dwelling space of the dwelling.

5.01.02 Standards for Home Occupations

- A. The following requirements shall apply in addition to all other applicable requirements of this ordinance for the residential district in which such uses are located:
 - 1. No outside storage shall be used in connection with the home occupation. Storage in accessory buildings is permitted.
 - 2. Sufficient off-street parking shall be provided for those residing in the home and for clients and customers of the permitted home occupation.

3. No internal or external alterations inconsistent with the residential use of the building may be permitted.
 4. Only vehicles used primarily as passenger vehicles shall be permitted in connection with the conduct of the home occupation.
 5. No machinery that causes noises or other interferences in radio and/or television reception shall be allowed.
 6. No chemical, electrical or mechanical equipment that is not normally a part of domestic or household equipment shall be used in a permitted home occupation.
 7. No external signs may be displayed advertising the product or service available.
 8. No person other than a resident of the dwelling may be employed in the home occupation.
- B. Customary home occupations may include, but are not limited to the following:
1. The office of a professional person.
 2. Art studio, dressmaking, sewing, canning, or baking.
 3. Teaching individual musical instruments, dance, crafts or academic subjects with instruction limited to not more than two (2) pupils at one (1) time.
 4. The care of not more than four (4) children for compensation.
- C. A customary home occupation specifically does not include the following listed occupations. This list is not comprehensive, and other similar occupations and uses may be prohibited:
1. Dancing or band instrument instruction in groups.
 2. Tearooms and restaurants.
 3. Tourist homes, boardinghouses or roominghouses.
 4. Fish hatcheries, worm farms or bait houses.
 5. Convalescent and nursing homes.
 6. Kennels and animal hospitals.
 7. Clinics and hospitals.
 8. Firewood sales.

5.02.00 ACCESSORY STRUCTURES

5.02.01 Generally

- A. An accessory structure is defined as a structure on the same lot with, and of a size and nature customarily incidental and subordinate to, the principal structure.
- B. Types of accessory structures include, but are not limited to, the

following:

1. Detached garage and/or carport.
2. Storage buildings and/or barns.
3. Freestanding greenhouses.
4. Swimming pools and pool houses.
5. Tennis courts.
6. Satellite dish antennas (subject to federal regulations).
7. Freestanding workshops.
8. Gazebos.
9. Radio and/or TV antenna structures not attached to the principal structure.
10. Paved areas other than driveways and walkways.
11. Property identification signs not associated with or attached to a mailbox.
12. Perimeter fencing and/or walls, both of which may be located on the property line.

5.02.02 Standards for Accessory Structures

Accessory buildings and structures shall comply with all requirements for the principal use except where specifically modified by this article and shall comply with the following limitations:

- A. A greenhouse or hothouse may be maintained accessory to a dwelling in any residential zoning district.
- B. A guesthouse may be maintained accessory to a single-family dwelling provided there are no kitchen cooking facilities in the guesthouse.
- C. Mechanical equipment shall be subject to the provisions of this section. Such equipment shall not be located between the main structure on the site and any street adjacent to a front or side yard, and every attempt shall be made to place such equipment so that it is not visible from adjacent public streets. Any installation of mechanical equipment shall require a building permit.
- D. Regardless of the side and rear yard requirements of the district, in a residential district, a side or rear yard may be reduced to five (5) feet for an accessory structure, including swimming pools, erected more than fifty (50) feet from any street, other than alleys, provided the structure is detached and separated from other buildings and structures by ten (10) feet or more, and is no more than fifteen (15) feet in height.
- E. Exclusive of swimming pools, no more than three (3) accessory structures per lot are permitted in any residential zoning district, which may not total more than twenty five (25) percent of the total square footage of the principal structure on the lot. The contiguous roofed portion of the

principal structure, including covered porches, garages, and carports shall be included in this calculation. The total square footage shall be exclusive of attics, crawl spaces, and similar storage areas.

- F. An accessory structure for a single-family residence is not permitted in a front yard, unless erected more than 100 feet from the front street right-of-way.
- G. Signs, fences, parking, driveways, accessory dwellings, and temporary structures are not subject to the provisions of this section.

5.02.03 Fences

Except as otherwise specifically provided in other sections of this UDO, fences and free-standing walls are allowed subject to the following standards:

- A. For uses within any single-family district, the following standards apply:
 - 1. A fence of any type in any required front yard may not exceed 48 inches in height.
 - 2. A fence or wall of any type in any rear or side yard shall not exceed eight (8) feet in height.
 - 3. The height of fences or walls in rear or side yard areas abutting a street shall be 48 inches in height, or less, if said fence or wall is within ten (10) feet of any public right-of-way.
 - 4. The framework for newly constructed fences and walls shall face toward the builder's property, except where fences are jointly constructed.
 - 5. Fences shall lean at a vertical plane of no more than five (5) percent.
- B. For uses in all other districts, except industrial districts, the following standards shall apply:
 - 1. In any front, side, or rear yard adjacent to the public right-of-way, a fence or wall may not exceed eight (8) feet in height. Chain link fencing is not allowed in any front yard.
 - 2. Landscaping shall be installed on both sides of a fence in any front yard or yard adjacent to any street.
 - 3. The framework for newly constructed fences and walls shall face toward the builder's property, except where fences are jointly constructed.
 - 4. Fences shall lean at a vertical plane of no more than five (5) percent.

5.03.00 TEMPORARY STRUCTURES AND USES

5.03.01 Temporary Structures and Uses during Construction

A temporary building or use in connection with a construction project shall be permitted during the construction period. The following standards shall be met by temporary uses established during construction:

- A. A building permit shall be required.
- B. Temporary offices may be located on a construction site to be used for administrative functions during construction. Temporary construction offices may have the name of the construction company printed on one (1) permanently affixed sign on the outside of the building. Such sign shall be a maximum of four (4) feet by eight (8) feet. In addition, the proposed construction building shall meet tie-down requirements for mobile structures, and have a contract for sewage pump-out. Construction buildings, equipment, machinery, and materials shall be removed within thirty (30) days of completion of the construction site for which they are permitted.
- C. On-site outdoor storage of equipment and construction materials shall be allowed during the period of construction.
- D. Portable toilet facilities shall be provided.
- E. Construction and demolition debris dumpsters are allowable and are not required to be screened.
- F. A temporary office shall be allowed, which may be used for sales functions or sales offices, allowing for the sale, resale, or marketing of dwellings, structures, or property within the development in which it is located, or adjacent developments under the same control.
- G. On-site temporary use of structures and equipment for the building of roads, public utilities, and government projects shall be allowed.

5.03.02 Special Events and Seasonal Sales

- A. Special events include carnivals, fairs, festivals, seasonal sales, tent meetings, or other periodic events of a temporary nature. Such events are typically outdoors.
- B. Special events shall be limited to the following zoning districts: C-1, C-2, C-3, M-1, M-2 and PD.
- C. The following standards apply to carnivals, fairs, festivals, tent meetings, and similar events and activities:
 - 1. A permit is required according to the procedures set forth in Article 10, except that special events conducted by a church or school shall not be required to obtain a permit, but shall be required to comply with the standards of this section;
 - 2. The applicant shall ensure the provision of adequate sanitation facilities, sewage disposal, garbage and refuse disposal, potable water supply, and food service during the special event;
 - 3. The area devoted to the special event shall not be located on any required setbacks, buffers, parking spaces, parking lot aisles, driveways, fire lanes, or other traffic circulation areas.

4. The site shall have floodlighting for the special event and parking areas, if any activities are to be offered during darkness. Lighting shall be shielded and directed to avoid direct illumination of adjacent properties as measured at the property line;
 5. The site shall have adequate parking facilities. Parking may be on-site or off-site. Where off-site parking is provided, there shall be adequate plans for transporting or conducting patrons from the off-site parking facilities to the special event area;
 6. The applicant shall provide adequate traffic control and security in and around the special event area during hours of operation; and
 7. All stages, booths, tents, scaffoldings, or structures of any nature on, under, or within which persons may congregate, shall conform to applicable building, health, and other construction codes.
- D. The following standards apply to seasonal sales:
1. A temporary use permit must be obtained from the Building Official.
 2. The area devoted to seasonal sales shall not be located on any required setbacks, buffers, parking spaces, parking lot aisles, driveways, fire lanes, or other traffic circulation areas;
 3. Goods, tents, equipment, or materials used for the seasonal sales activity shall not be located within any right-of-way;
 4. Parking spaces shall be provided to support the seasonal sales activity. Parking spaces necessary to support the seasonal sales activity shall be in addition to parking provided on the site to serve other uses and shall be calculated based on the square feet of sales area according to the standards in Article 4;
 5. The applicant shall ensure the provision of adequate garbage and refuse disposal; and
 6. The applicant shall demonstrate conformance with all applicable building, health, and other federal, state, or local laws.

5.03.03 Movable Modular Storage Units

Movable module storage units (called “storage pods”) are permissible temporary structures, provided that such structures are located in compliance with the following standards:

- A. The duration shall be limited to fourteen (14) days. One (1) renewal may be granted for an additional fourteen (14) days.
- B. The storage pod may be placed on a paved or unpaved surface. When the location of the storage pod is on an unpaved surface, the permit shall be conditioned upon the requirement that grass, sod, or landscaping shall be restored after removal of the storage pod.
- C. The storage pod may be placed in a front or rear yard. Placement in a side yard is prohibited.

- D. The storage pod shall not be placed within an easement, stormwater area, or required buffer.
- E. The storage pod shall be placed at least one (1) foot from any property line.
- F. The storage pod shall not obstruct pedestrian access.

5.03.04 Model Homes and Sales Offices

- A. Model homes are permissible only in conjunction with a new residential development during the period of construction of site improvements and new homes.
- B. Model dwelling units may be erected or displayed in districts that include residential uses, provided that such models shall not be used for residential purposes, but only for display as a means to sell homes.
- C. One (1) or more model homes may be established in a residential development, including planned developments, subject to the following standards:
 - 1. A model home shall be located on a platted lot meeting all standards of this UDO;
 - 2. A model home shall be located to meet all site design standards of this UDO, except for the modifications specifically enumerated herein;
 - 3. A model home shall be located only on a collector or arterial street;
 - 4. A model home may include a sales office. Hours of sales operations shall not extend beyond 8:00 p.m.;
 - 5. One (1) off-street parking space shall be provided for each employee plus one (1) off-street parking space per model home. In addition, one (1) off-street parking space shall be provided for handicapped parking. These spaces shall be provided on the same lot as the model dwelling unit or on a contiguous lot within the specific project; and
 - 6. The number of model home units shall not exceed five (5) percent of the number of homes or lots permissible in the residential development. Fractions shall be rounded to the nearest whole number.
- D. The model home shall be discontinued as a model unit and sales office when ninety (90) percent of the lots or homes in the residential development have been sold. The model home site shall be redesigned to comply with all site design requirements applicable to the residential development. Such redesign includes, at a minimum, removal of parking in excess of that associated with a single-family home; removal of any signs; and removal of any exterior lighting associated with the model home and sales office.

5.04.00 SIGNS

5.04.01 Purpose

- A. The Mayor and City Council of Carrollton, Georgia recognize that, although signs and advertising are proper and necessary uses of private property and constitute a legitimate business entitled to the protection of the law, such signs and advertising should be reasonably regulated in the interest of the public safety and welfare by the establishment of standards for the location, size, illumination, number, construction, and maintenance of all signs and advertising structures in Carrollton, Georgia.
- B. In this regard, this ordinance is intended to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City of Carrollton, to protect the public investment in streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, and for the orderly and reasonable display of advertising for the benefit of all its citizens.

5.04.02 General Sign Regulations

- A. No sign shall:
 - 1. Obstruct any fire escape, any means of egress or ventilation, or prevent free passage from one part of a roof to any other part thereof, nor shall any sign be attached in any form, shape, or manner to a fire escape;
 - 2. Interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic;
 - 3. Be erected, painted, or drawn on any tree, rock, or other natural surface;
 - 4. Be located on any building, fence, or other property belonging to another person without the consent of the owner;
 - 5. Contain statements, words, or pictures of an obscene, indecent, or immoral character such as will offend public morals;
 - 6. Advertise any activity, service, or product prohibited by the laws and regulations of the United States or the State of Georgia or by the ordinances or resolutions of the City of Carrollton, Georgia;
 - 7. Be permitted unless it is structurally safe, clean, and in good repair; or emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with normal hearing.
- B. No sign, sign structure, or advertising device shall be located on utility poles or within the right-of-way of any street or public roadway.
- C. The following are not permitted except as temporary special event signs as provided in Section 5.04.05(E):
 - 1. Banners, pennants, streamers, or other multi-colored triangle shaped or irregular shaped displays attached by ropes, strings, wires, or other devices;

2. Balloons or gas filled figures;
 3. Portable displays; or
 4. Search lights, beacons, or other advertising novelties.
- D. No mobile or wheeled signs are permitted except as temporary special event signs as provided in Section 5.04.05(E).
- E. Signs in designated local historic districts must be approved by the Historic Preservation Commission.
- F. No dilapidated or neglected signs shall be permitted. A sign (including sign structure) is considered dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following:
1. Rust or holes on or in the sign or sign structure;
 2. Broken, missing, loose, or bent parts;
 3. Faded or flaking paint;
 4. Non-operative or partially non-operative illuminating or mechanical devices; or
 5. Missing letters in sign copy.
- G. No sign constructed of non-durable material including, but not limited to, paper, cardboard, or flexible plastic may be displayed for more than sixty (60) days. Nothing herein shall prohibit such a sign from being replaced by an identical sign. This provision does not apply to temporary signs as governed by this ordinance.
- H. No portable, trailer, sidewalk, sandwich, curb, or "A"-type signs shall be permitted except as temporary special event signs as provided in Section 5.04.05(E).
- I. No sign or sign structure above a height of three (3) feet shall be maintained within twenty (20) feet of the intersection of right-of-way lines of two streets or of a street intersection with a railroad right-of-way.
- J. The following signs are prohibited by this ordinance: multi-faced signs; rotating signs; and animated signs (including but not limited to those involving motion, flashing, blinking, or varying light intensity).
- K. In a Residential-Office-Institutional District (R-O-I), the maximum allowable sign shall be six (6) square feet; only one sign shall be permitted; and it shall be free-standing and shall be located in front of the principle structure/use.
- L. Neon lighting or lettering on signs is prohibited.

5.04.03 Signs in Residential Districts

- A. For real estate developments or projects, two (2) free-standing signs are permitted per entrance. Each sign shall not exceed a maximum of seventy-five (75) square feet and eight (8) feet in height.

- B. For individual residential units in all residential zoning districts, one (1) wall and one (1) freestanding sign per housing unit is allowed, but such signs shall not exceed two (2) square feet maximum size per sign and three (3) feet in height.

5.04.04 Signs in Non-Residential Districts

- A. The following signs are permitted in all non-residential zoning districts:

1. Freestanding Sign – Individual Non-Residential Lot.

One (1) freestanding sign per lot limited to one hundred (100) square feet and a maximum of fifteen (15) feet in height. No part of a sign shall be located within ten (10) feet of a property line or street right-of-way line.

2. Freestanding Sign – Planned Commercial / Office / Industrial Development.

- a. One (1) freestanding sign per lot, which is a maximum of thirty (30) feet in height. A free-standing sign shall be limited to:

With 2 Individual Establishments	100 Square Feet
With 4 Individual Establishments	120 Square Feet
With 6 or more Individual Establishments	150 Square Feet

- b. Free-standing signs must direct attention to a building, profession, product, service, business activity, or entertainment conducted on the premises upon which the sign is located.

- c. No part of a sign shall be located within ten (10) feet of a property line or street right-of-way line.

3. Wall Sign.

Four (4) wall signs, each of which is limited to seventy five (75) square feet. Not more than one (1) sign per wall shall be permitted.

4. Canopy Sign.

Canopy signs may be substituted for wall signs following the same sizing criteria as wall signs. Canopy signs shall not be erected less than eight (8) feet above pedestrian walkways and fourteen (14) feet above areas of vehicle access at the lowest extremity of the sign.

5. Instructional Sign.

Instruction signs, including thereon an advertising trademark, logo, or emblem identification, and used to give direction or specific instruction to the public may be located adjacent to but not within the right-of-way line, and must not exceed six (6) square feet in area or three (3) feet in height above the ground, if free-standing.

6. Roof Signs.

Roof signs are prohibited in the City of Carrollton by this UDO.

7. Outdoor Advertising Signs.

In addition to the general regulations applying to all sign classifications, outdoor advertising signs shall comply with the following:

1. Zoning Districts Where Allowed.

Outdoor advertising signs are permitted on properties that are adjacent to a state or federal highway and in C-2, M-1 and M-2 zoning districts.

2. Location and Spacing.

No outdoor advertising sign shall be placed within three hundred (300) feet of a residence, church, school, park, or cemetery. No outdoor advertising sign shall be located within one thousand (1,000) feet of another outdoor advertising sign on either side of the street as measured along the right-of-way of such street.

3. Size.

No outdoor advertising sign shall exceed seven hundred (700) square feet inclusive of any trim but excluding the base, apron, supports, and other structural members.

8. Political Signs.

- a. For the purposes of this section, the term “political sign” shall mean a sign identifying and urging voter support for a particular election, issue, political party or candidate for public office.
- b. Notwithstanding any other provisions to the contrary in this article, political signs do not require a permit and are permitted in all zoning districts for a period of not more than six weeks before a duly authorized election date as established by applicable federal, state, or local law. Political signs shall not exceed eight (8) square feet, shall be located off public right-of-way, and shall not exceed more than two (2) per lot. All political signs or devices must be removed within ten (10) days of the candidate’s or issues election or defeat.

9. Electronic Reader Boards.

Electronic reader boards are permitted as a free-standing sign, or a portion of a free-standing sign, with the following restrictions:

- a. Size. The reader board is limited to 24 square feet.
- b. Change in sign copy. Words on the sign shall be set for two-minute intervals.
- c. Color and light intensity. The color and light intensity shall be fixed. Multi-colored electronic images are prohibited.
- d. Graphics. Graphics are limited to lettering and numbering only.

5.04.05 Temporary Signs

In addition to the general regulations and restrictions applying to all sign classifications, the following signs may be erected and maintained as follows:

A. Real Estate Signs.

On other than individual single-family residential lots, real estate signs shall be allowed not exceeding one hundred (100) square feet and shall be limited to two (2) such signs per project, or one (1) such sign per project entrance. On individual single-family residential lots, one (1) real estate sign per single-family residential lot not exceeding three (3) square feet is permitted.

B. Construction Signs.

For construction on or development of a lot, one (1) construction sign shall be allowed per contractor, engineer, architect, or financial institution associated with the project.

C. Real Estate Directional Sign.

Real estate directional signs are permitted, provided: such signs shall not exceed a maximum size of four (4) square feet; such signs shall not be illuminated; and no more than two (2) real estate directional signs may be placed on any lot.

D. Weekend Directional Sign.

Weekend directional signs are off-premises signs, which provide direction to property for sale, lease or rent. Weekend directional signs may be erected from Friday at 3:00 p.m. until 11:59 p.m. on Sunday to direct traffic to a specific project. Weekend directional signs are not permitted within the public right-of-way.

E. Special Event Sign.

Any person, firm, or corporation is allowed special event signs on-premises for a special use or event, such as, but not limited to, grand openings, seasonal sales, liquidations, going out of business sales, fire sales, and give-away or free promotions, only under the following conditions and requirements:

1. Prior to such special event or use and the erection and placement of any such signs or devices, a permit shall be obtained from the Building Official or his authorized representative.
2. The maximum number of days a special event sign permit shall be issued to a single business location or parcel in any twelve (12) month period shall be sixty (60) days. Permits may be issued for any number of days not to exceed sixty (60) days in a twelve (12) month period, provided that no permit shall be issued for less than fifteen (15) consecutive days.

3. All temporary special event signs must be removed immediately upon the expiration of the period authorized in the approved permit. Failure to remove the signs or structures following the expiration of the period authorized in the approved permit shall result in the issuance of a citation by the Building Official or his authorized representative. Any person, firm, or corporation issued a special event sign permit failing to remove said sign at the expiration of the period authorized by the applicable permit shall be prohibited from receiving another special event sign permit for a period of one (1) year from the date of the violation.

5.04.06 Non-Conforming Signs

- A. The lawful use of a permanent sign existing at the time of the adoption of this ordinance may be continued in non-conformance with the requirements of this ordinance, except that the non-conforming sign shall not be enlarged, altered, modified, improved, or rebuilt. A non-conforming sign may be repaired to the extent necessary to maintain it in a safe condition and in a neat and orderly appearance. A change in the advertising message on the sign shall not constitute an alteration or modification of the sign.
- B. No structural repair or change in shape, size, or design shall be permitted except to make a non-conforming sign comply with all requirements of this ordinance or to render the sign structurally sound. Routine maintenance and changing of copy shall be permitted as long as such maintenance or changing of copy does not result in or change the shape, size, or design.
- C. A non-conforming sign structure may not be replaced by another non-conforming sign structure, except where a change in conditions beyond the control of the owner warrant the sign's repair.

5.04.07 Construction, Maintenance and Inspection

- A. All signs shall be constructed and maintained in conformance with the City of Carrollton building codes. Such signs, together with their supports, braces, guys, and anchors shall be kept in good repair and must be maintained in a safe condition with a clean appearance.
- B. The Building Official or his authorized representative shall inspect signs installed under the provisions of this ordinance to determine that each sign meets the requirements set forth in this ordinance and is maintained in conformance with all applicable codes of the City of Carrollton and the provisions of this ordinance.
- C. It shall be the responsibility of the Building Official or his designee to notify the sign contractor, if known, the sign owner, or the property owner of any violations. Such notice shall be in writing and provide the particulars as to the violation. All violations must be corrected within ten

(10) days following service of such notice. Said notice may be served by certified mail or personal delivery. The Building Official or his authorized representative is empowered to issue a citation for violation requiring the presence of the violator in the Municipal Court of the City of Carrollton.

- D. The Building Official or his duly authorized representatives are herewith authorized to enter private property for the purpose of making inspections to insure compliance with all provisions of this ordinance.

5.04.08 Administration

All of the provisions of this article shall be administered by the City Manager, and the appropriate appeal procedure shall be the same as established in Article 9 through the Board of Development Appeals.

5.04.09 Permits

- A. Permits are required for all signs as follows:

1. A sign permit is required before a sign may be erected or attached to, suspended from, or supported on a building or structure, or before an existing sign may be enlarged, relocated, or materially improved upon, except as is herein provided by this ordinance.
2. If the plans, specifications, and intended use of the applied sign or part thereof conform in all respects to the applicable provisions of this ordinance and City building and electrical codes, a sign permit shall be issued.
3. A sign permit shall become null and void if the sign for which the permit was issued has not been completed within a period of six (6) months after the date of permit issuance.

5.04.10 Application for Permits

- A. Except as specifically exempted from the provisions of this ordinance, it shall be unlawful for any person to post, display, substantially change, or erect a sign without a permit. A change in the copy only of a sign shall not constitute a substantial change.
- B. Applications for sign permits shall be filed by the sign owner or its agent with the Building Official or his designee. The application shall describe and set forth the following:
1. The street address of the property upon which the subject sign is to be located and a site plan of the property which bears the scaled and labeled proposed location of the sign.
 2. The aggregate area and copy area for all signs on the parcel.
 3. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located.
 4. The name, address, telephone number, business license number, and signature of the business owner authorizing placement of the sign.
 5. The name, address, telephone number, fax number, business license

- number, and signature of the sign contractor.
6. The type of sign to be erected, the area and copy of the sign, the height of the sign (if free-standing), the shape of the sign, the color(s) of the sign, the material of the sign, and details showing how the sign will be mounted, installed, or erected.
 7. For free-standing and monument signs only, the dimensioned sign location on a site plan; the structural foundation and mounting details; and the location and size of the sign.
 8. All existing free-standing and monument signs on the property.
 9. The cost of the sign (materials and installation).
 10. If an electrical sign, a copy of the electrical permit. Signs connected to an approved, existing wired outlet or junction box do not require electrical permits.
 11. For illuminated signs, maximum foot candles must be specified on the permit application. Maximum foot candles shall not exceed 12,000 lumens.

5.04.11 Permit Fees

The fee schedule for sign permits is provided in Table 5.04.11(A) as follows, except that the fee shall be waived for bona fide charitable organizations only.

Table 5.04.11(A). Sign Permit Fees.

Type of Sign	Permit Fee (See Note 1)
Canopy	\$1.00 / Square foot (SF)
Construction	No Permit Required
Freestanding	\$1.00 / SF
Instructional	\$1.00 / SF
Monument Sign	\$1.00 / SF
Outdoor Advertising	Construction Cost Per Building Permit Fee Schedule
Real Estate	No Permit Required
Real Estate Directional	No Permit Required
Roof	Prohibited
Special Event Sign	\$1.00 / Per Day
Wall	\$1.00 / SF

Note:

1. A minimum of \$25.00 shall be charged for each sign permit, plus the applicable electrical permit fee, if such permit is also required.

5.04.12 Prohibited Signs

A. All signs, other than non-conforming signs, which are not in compliance with this ordinance are prohibited and illegal and shall not be erected or maintained.

B. Signs on Rights-of-Way.

All prohibited signs located on public rights-of-way are hereby declared litter and may be removed and disposed of by any City employee.

5.04.13 Citations

The Building Official or his duly authorized representative is hereby empowered to issue a citation for violation of this ordinance requiring the presence of the violator in the Municipal Court of the City of Carrollton in any case where it is found that a sign is erected, constructed, reconstructed, altered, converted, or maintained in violation of any provision of this ordinance.

5.04.14 Penalties for Violation

Any person, firm, or corporation who shall fail to comply with requirements of this ordinance shall, upon conviction of a violation of this ordinance, be punished as a misdemeanor offense. Each violation shall be considered a separate offense, and each day in violation shall be considered a separate offense.

5.05.00 WIRELESS COMMUNICATION FACILITIES (WCF)

5.05.01 Purpose and Goals

A. The purpose of this section is to establish general guidelines for the siting of WCF's.

B. The goals of this section are to:

1. Provide a range of locations for WCFs in a variety of zones;
2. Within each zone, provide clear performance standards addressing the siting of WCFs;
3. Encourage the locating of WCFs in non-residential areas and minimize the total number of owners throughout the community;
4. Encourage the location of WCFs on existing structures, including utility poles, signs, water towers, building, and other WCFs where feasible;
5. Encourage collocation and site sharing of new and existing WCFs;
6. Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact of the towers and antennas;
7. Facilitate the use of public property and structures for WCFs;
8. Enhance the ability of providers of telecommunication services to provide such service to the community quickly, effectively, and efficiently.

5.05.02 Applicability

A. Public property.

Antennas or towers located on property owned, leased, or otherwise controlled by the City shall be exempt from the requirements of this ordinance, provided a license or lease authorizing such antenna or tower has been approved by the City.

B. Amateur radio: Receive-only antennas.

This ordinance shall not govern any tower, or the installation of any antenna, that is under thirty five (35) feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for receive-only antennas.

C. Pre-existing towers and antennas.

Any tower or antenna having a properly issued permit prior to the effective date of this section shall not be required to meet the requirements of this section, other than the requirements of Section 5.05.03(J) and (K). Any such towers or antennas shall be referred to in this section as "pre-existing towers" or "pre-existing antenna arrays".

5.05.03 Development Standards

The guidelines set forth in this section shall govern the location of all towers, and the installation of all antennas, governed by this section; provided, however, the City may waive these requirements if it determines the goals of this section are better served thereby.

A. Height standards.

1. Attached WCFs.

Attached WCFs shall not add more than twenty (20) feet in height to the existing building or structure to which it is attached (attachment structure).

2. WCFs with supporting structures.

WCF's constructed with supporting structures shall be subject to the standards set forth in Table 5.05.03(A), below.

Table 5.05.03(A). Development Standards for Wireless Communication Facilities.

Zoning District	Maximum Height ¹	Setbacks ²	Additional Buffers, Landscaping ³
E-R, R-20, R-15, R-10, R-T, R-M, R-O-I	75 feet	50% height of tower, plus 1 foot per each 2 feet of tower height over 75 feet	25
M-H-P	90 feet		20
O-I	90 feet		15
C-1, C-3	75 feet		15
C-2	110 feet --1 user 130 feet --2 users 150 feet --3 users	25 feet	10
M-1, M-2	180 feet	20 feet ⁴	10

1. Attached WCFs in any zone are limited in height to twenty (20) feet from the top of the attachment structure.
2. The antenna array for an attached WCF is exempt from the setback requirements of this section and from the setbacks for the zone in which they are located, provided, no such antenna array shall extend more than five (5) feet horizontally from the attachment structure.
3. Landscaping and buffer requirements are in addition to the underlying zone requirements. The antenna array for an attached WCF is exempt from the landscaping and buffer requirements of this section.
4. If the project site abuts another industrial district, the current setbacks specified in the zoning ordinance would apply for those property lines where the two (2) industrial zoning districts meet.

B. Setbacks and maximum lot size.

1. Attached WCFs.

Antenna arrays for attached WCFs are exempt from the setback standards of this section and from the setbacks for the zone in which they are located. An attached WCF antenna array may extend up to five (5) feet horizontally beyond the edge of the attachment structure so long as the antenna array does not encroach upon an adjoining parcel.

2. WCFs with support structures.

WCF's constructed with supporting structures shall be subject to the setback requirements set forth in Table 5.05.03(A), above; provided, however, that the City may reduce the standard setbacks and separation requirements if the goals of this section would be better served thereby.

C. Landscaping and buffer requirements.

1. WCFs shall be landscaped in accordance with the landscape requirements contained in the zoning ordinance, except for additional requirements stated herein.
2. Existing mature tree growth and natural land forms on the site shall be preserved to the extent feasible; provided, however, that vegetation that causes interference with the antennas or inhibits access to the equipment facility may be trimmed.
3. Existing vegetation on site may be used in lieu of required landscaping where approved by the City Manager, or his or her designee.
4. Additional landscaping and buffer requirements (See also table 5.05.03(A), above):
 - a. In single-family, townhouse, multi-family, and estate residential zoning districts, a twenty five (25) foot perimeter buffer is required, with a minimum of one (1) tree per twenty five (25) lineal feet of buffer, with a maximum of fifty (50) percent being shade trees. Retention of existing trees on site in order to meet this requirement is encouraged. Grass or other ground cover species shall be planted on all areas of the buffer strip required which are not covered by other landscape material.
 - b. In the mobile home residential zoning district, a twenty (20) foot perimeter buffer is required, with a minimum of one (1) tree per twenty five (25) lineal feet of buffer, with a minimum of fifty (50) percent being shade trees. Retention of existing trees on site in order to meet this requirement is encouraged. Grass or other ground cover species shall be planted on all areas of the buffer strip required which are not covered by other landscape material.
 - c. In office-institutional, central business and neighborhood commercial zoning districts, an additional fifteen (15) foot buffer shall be required.
 - d. In the general commercial and industrial districts an additional ten (10) foot buffer shall be required.
5. Maintenance.

It will be the responsibility of the owner/tenant to keep all landscaping material free from disease and properly maintained in order to fulfill the purpose for which it was established. The owners of the property, and any tenant on the property where buffers and landscaping is required, shall be jointly and severally responsible for the maintenance of all landscaping materials. Such maintenance shall include all actions necessary to keep the buffer and landscape areas free from litter and debris, to keep plantings healthy, and to keep planting areas neat in appearance. Any vegetation that constitutes part of the buffer or landscaping shall be replaced in the event it dies.

D. Aesthetics, placement, materials, and color.

1. Attached WCFs shall have both antenna and supporting electrical and mechanical equipment that are of a neutral color identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. In addition, the placement of the antenna array and supporting equipment shall be consistent with proper functioning of the WCF while mitigating the impact of the facility on the surrounding area.
2. WCFs with support structures shall consist of towers with a galvanized steel finish, or subject to any applicable standards of the FAA, be painted a neutral color (except in the M-1 and M-2 zoning districts), so as to reduce visual obtrusiveness. At a tower site, the design of the building and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment. In most instances, WCFs with support structures should be of the monopole variety except when providers can document and demonstrate need for lattice-type towers.

E. Separation requirement.

In zoning districts, other than general commercial and industrial districts, WCFs over ninety (90) feet in height shall not be located within one-quarter (1/4) of a mile from any existing WCF that is over ninety (90) feet in height.

F. Lighting.

Towers shall not be artificially lighted, unless required by FAA or other applicable authority. Lighting may be required if the tower is near a non-FAA controlled landing strip pending review by the City Manager. If lighting is required, the City may review the available lighting alternative and approve the design that would cause the least disturbance to the surrounding views.

G. Noise.

No equipment shall be operated at a WCF so as to produce noise in excess of the applicable noise standards under WAC 173-60, except for in emergency situations requiring the use of a backup generator, where the noise standards may be exceeded on a temporary basis. No generator shall be used prior to commercial power being delivered to the site.

H. Security fencing.

WCFs with support structures shall be enclosed by a security fence not less than six (6) feet in height, and the support structure shall be equipped with an appropriate anti-climbing device; provided, however, that the City may waive such requirements, as it deems appropriate; however, nothing herein shall prevent security fencing which is necessary

to meet other requirements of state or federal agencies.

I. Radio frequency emissions.

1. The Federal Telecommunications Act of 1996 (FTA) gives the Federal Communication Commission (FCC) sole jurisdiction in the field of regulation of Radio Frequency (RF) emissions, and WCFs which meet the FCC standards shall not be conditioned or denied on the basis of the RF impacts.
2. In order to provide information to its citizens, copies of ongoing FCC information concerning WCFs and radio frequency emission standards shall be made available. Applicants for WCFs shall be required to provide information on the projected power density of the facility and how this meets the FCC standards.

J. Federal requirements.

All WCFs must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with authority over WCFs. If such standards and regulations are changed, then the owners of the WCFs governed by this ordinance shall bring such antenna arrays and/or support structures into compliance with such revised standards and regulations within six (6) months of the effective dates of such standards and regulations unless a more stringent compliance schedule is mandated by the controlling federal agency. Failure to bring WCFs into compliance with such revised standards and regulations shall constitute grounds for the removal of the WCF at the owner's expense in accordance with Section 5.05.07 of this UDO.

K. Structural integrity.

To ensure the structural integrity of towers, the owner of a tower shall ensure it is maintained in compliance with standards contained in applicable local building codes and the Electronic Industries Association/Telecommunications Industries (EIA/TIA) 222 Revision F Standard entitled "Structural Standards for Steel Antenna Towers and Antenna Supporting Structures (or Equivalent)," as amended from time to time. If, upon inspection, the City concludes a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the tower's owner, the owner shall have thirty (30) days to bring such tower into compliance with such standards. If the owner fails to bring such tower into compliance within said thirty (30) days, the City may remove such tower at the owner's expense in accordance with Section 5.05.07 of this UDO. A letter stamped by an engineer certified in the state shall be required stating that the WCF and support structure meets or exceeds all applicable requirements set forth herein.

5.05.04 Review Process

A. General.

The applicable development standards referred to herein are those set forth in Section 5.05.03 and in Table 5.05.03(A) above.

B. Attached WCFs are permitted as follows:

1. Attached WCFs in commercial and industrial zones that meet the development standards are permitted as of right.
2. Attached WCFs in commercial and industrial zones that exceed the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
3. Attached WCFs in residential zones that meet the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
4. Attached WCFs in residential zones that exceed the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
5. Attached WCFs in office and institutional and central business district zones that meet the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
6. Attached WCFs in office and institutional and central business district zones that exceed the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.

C. WCFs with support structures are permitted as follows:

1. WCFs with support structures in the commercial and industrial zones that meet the development standards are permitted as of right.
2. WCFs with support structures in the commercial and industrial zones that exceed the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
3. WCFs with support structures in the office and institutional and central business zoning districts that meet the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
4. WCFs with support structures in the office and institutional and central business zoning districts that exceed the development

standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.

5. WCFs with support structures in residential zones that meet the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
 6. WCFs with support structures in residential zones that exceed the development standards shall require a conditional use permit subject to the review and approval of said permit during public hearings of the Planning Commission and the Mayor and City Council.
- D. WCFs on property owned, leased or otherwise controlled by the City, provided that the WCF has been approved by the City and the development standards in Section 5.05.03 are met, are permitted as of right.
- E. Temporary WCFs for a term not to exceed ninety (90) days, with a possible ninety (90) day extension with approval of the City Manager, are permitted as of right.

5.05.05 Approval Procedures

- A. Permitted as of right.

Where a WCF is permitted as of right, only a building permit is required.

- B. Administrative review.

1. Review of WCFs under this section will be conducted by the City Manager, or his or her designee, upon application for a building permit for the WFC.
2. Each applicant for administrative approval shall apply to the City Manager, providing information set forth in subsection (D)(2) of this section.
3. The City Manager, or his or her designee, shall respond to each application within thirty (30) days after receiving it by either approving or denying the application.
4. In connection with any such administrative approval, the City Manager, may, in order to encourage shared use, administratively waive any zoning district setback requirements by up to fifty (50) percent.
5. If an administrative approval is denied, the applicant may appeal said denial in accordance with the provisions of Article 10 of this UDO to the Board of Development Appeals.

- C. Specific administratively approved uses.

The following uses may be approved by the City Manager, or his or her designee, after conducting an administrative review:

1. Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower, or other free-standing nonresidential structure) that is less than fifty (50) feet in height, so long as such addition does not add more than twenty (20) feet to the height of the existing structure;
2. Installing an antenna on an existing tower of any height, including a pre-existing tower and further including the placement of additional buildings or other support equipment used in connection with said antenna, so long as the addition of said antenna adds no more than twenty (20) feet to the height of said existing tower.

D. Conditional use permit.

1. General.

The following provisions shall govern the issuance of conditional use permits:

- A. If the WCF is not a permitted use under subsection (A) of this section or permitted to be approved administratively pursuant to subsections (B) and (C) of this section, then a conditional use permit shall be required for the construction of a tower or the placement of an antenna in all specified zoning districts.
 - b. In granting a conditional use permit, the Mayor and City Council may impose conditions to the extent the City concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties.
2. Information required.

Each applicant requesting a conditional use permit under this ordinance shall submit the following:

a. Plans.

The applicant shall submit a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriately licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, tower height requirements, setbacks, drives, parking, fencing, landscaping, adjacent uses, and other information deemed by the City to be necessary to assess compliance with this ordinance.

b. Inventory of existing sites.

Each applicant for an antenna or tower shall provide to the City Manager an inventory of its existing towers that are either within the jurisdiction of the City or within one-quarter (1/4) mile of the border thereof, including specific information about the location, height, and design of each tower. The City Manager may share

such information with other applicants applying for administrative approvals or conditional use permits under this ordinance or other organizations seeking to locate antennas within the jurisdiction of the City, provided, however the City Manager is not, by sharing his information, in any way representing or warranting such sites are available or suitable.

c. Collocation.

Pursuant to goals in Section 5.05.01, each applicant shall provide a statement indicating intent to allow shared use of the tower and how others will be accommodated. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical shall be certified by a licensed professional engineer.

3. Reviewing bodies.

Review of WCFs under this section will be conducted by the Planning Commission and the Mayor and City Council.

4. Public notice.

Notice shall be given for this review in accordance with the procedures established in the zoning ordinance for notice of applications and hearings before the Planning Commission and the Mayor and City Council.

5. Hearing.

The Mayor and City Council shall render a decision on the conditional use request in accordance with the procedures established in this UDO.

6. Factors considered in granting conditional use permits.

Both the Planning Commission and the Mayor and City Council shall consider the following factors in determining whether to issue a conditional use permit, although either body may waive, reduce, or, in certain instances, increase the burden on the applicant on one or more of these criteria if either body concludes that the goals of the City's ordinances are better served thereby.

- a. Height of the proposed tower;
- b. Proximity of the tower to a residential structure and residential district boundaries;
- c. Nature of uses on adjacent and nearby properties;
- d. Surrounding topography;
- e. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- f. Proposed ingress and egress; and

- g. Availability of suitable existing towers or other structures, as listed below in subsection (7).

7. Availability of suitable existing towers or other structures.

No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the City that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

- a. No existing towers or structures are located within the geographic area required to meet applicant's engineering requirements.
- b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.
- c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
- d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.
- e. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure are unreasonable. Costs exceed new tower development.
- f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

8. Findings.

A decision rendered by the Mayor and City Council under a conditional use permit shall be supported by findings of fact and conclusions of law based upon substantial evidence in the record.

9. Timing of decision.

The Mayor and City council shall render its decision within sixty (60) days after referral from the Planning Commission, unless the Mayor and City Council can demonstrate that more time is required and the time is agreed to by the applicant.

5.05.06 Notice to Adjacent Property Owners

The City is responsible for notifying all adjacent property owners, as shown on the tax records, for applications involving the location of WCFs in residential areas and for all applications requiring a conditional use permit.

5.05.07 Removal of Abandoned WCF's

A telecommunications structure may be determined to be abandoned because of discontinued use or falling into disrepair or noncompliance because of

neglect of maintenance according to the standards set forth in this ordinance.

A. Abandonment because of discontinued use.

A telecommunication structure shall be determined to be abandoned if the structure becomes more than twenty five (25) percent damaged and the owner fails to repair the same within six (6) months or if the structure falls into a like disrepair from vandalism, neglect, or collapse so as to discontinue all telecommunication service for a period of nine (9) months. Within ninety (90) days after notice from the City that a structure has been considered abandoned, the owner of the structure shall either re-establish use of the site or remove all equipment, support structures and appurtenances.

B. Abandonment due to disrepair or noncompliance.

In the event a telecommunications structure falls into disrepair or noncompliance because of neglect of maintenance, the facility shall be determined to be abandoned if repairs are not affected to restore compliance within thirty (30) days after written notice of noncompliance from the codes enforcement officer. Failure to comply within thirty (30) days shall result in expiration of prior approvals for the facility.

C. Expiration of prior approvals.

Any proposal to re-establish the telecommunication structure after failure to comply with restoration of facilities because of disrepair or neglect shall be treated as a new application subject to reviews, approvals and fees required by this ordinance.

D. Liability of noncompliance.

No time period stated herein shall relieve the owner of a telecommunication structure from responsibility to maintain a safe facility.

E. If applicable, a copy of relevant portions of a signed lease, which requires the applicant to remove the tower and associated facilities upon cessation of operations at the site, shall be submitted at the time of application. In the event that a tower is not removed at the cessation of operations at a site, the tower and associated facilities may be removed by the City and the costs of removal assessed against the property.

5.05.08 Non-conforming WCF's

WCFs in existence on the date of the adoption of this section which do not comply with the requirements of this section shall be referred to as non-conforming WCFs and are subject to the following provisions:

- A. Non-conforming WCFs may continue to operate for the purpose now used, but may not be expanded without complying with this ordinance, except as further provided in this section.
- B. Non-conforming WCFs may add additional antennas (belonging to the

same carrier or other carriers) subject to administrative review in Section 5.05.05.

- C. Non-conforming WCFs which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored to their former use, location, and physical dimensions subject to obtaining a building permit therefore, but without otherwise complying with this section.
- D. The owner of any non-conforming WCF may replace, repair, rebuild, and/or expand such WCF in order to improve the structural integrity of the facility, to allow the facility to accommodate collocated antennas or facilities, or to upgrade the facilities to current engineering, technological, or communications standards, without having to conform to the provisions of this ordinance, so long as such facilities are not increased in height by more than ten percent and/or setbacks are not decreased by more than ten percent.

5.05.09 Modifications to Existing Facilities

A. Minor modifications.

Minor modifications to WCFs permitted under this ordinance shall be approved under an administrative review by the City Manager, or his or her designee (see Section 5.05.05). Minor modifications are as follows:

1. The addition of no more than two (2) antenna arrays to any existing WCF, so long as the addition of the antenna arrays add no more than 20 feet in height to the WCF;
2. An increase in height of the support structure which is no greater than ten percent;
3. A decrease in setbacks by no more than ten percent;
4. Collocations of up to one (1) antenna array shall be considered a minor modification.

B. Major modifications.

Major modifications to WCFs permitted under this ordinance shall be approved under review and by public hearings of the Planning Commission and the Mayor and City Council as stated in Section 5.05.05. Major modifications are any modifications that exceed the definition of minor modification.